

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL D. ROGERS,

Petitioner,

vs.

JAMES WALKER,

Respondent.

No. C 12-2023 WHA (PR)

ORDER OF DISMISSAL

This case was opened on April 23, 2012, when petitioner, a California prisoner proceeding pro se, filed a motion for an extension of time that referenced his criminal conviction. On that same day, the clerk notified petitioner that the case could not proceed because he had not filed a petition. With that notice, he was mailed the court's form for habeas petitions and was informed that if he did not file a petition within thirty days, the case would be dismissed. More than forty days have passed and petitioner has not filed a petition or an explanation for his failure to do so. This case is therefore **DISMISSED** without prejudice.

It is possible that petitioner wanted to file his motion in one of the many prior cases he has filed in this district, but if so he did not include a case number indicating which case he

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1 intended to file it in. In any event, all of his prior cases in this district have been resolved and
2 are closed.

3 The application to proceed in forma pauperis (docket number 4) is **GRANTED**.

4 The clerk shall enter judgment and close the file.

5 **IT IS SO ORDERED.**

6
7 Dated: June 7, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL D. ROGERS,
Plaintiff,

v.

JAMES WALKER et al,
Defendant.

Case Number: CV12-02023 WHA
CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 8, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael D. Rogers
F-30917
Salinas Valley State Prison
PO Box 1050
Soledad, CA 93960

Attorney General's Office
455 Golden Gate Avenue
San Francisco, CA 94102

Dated: June 8, 2012


Richard W. Wieking, Clerk
By: Lashanda Scott, Deputy Clerk